

Pine Nut Mountains Wild Horse Scoping Report



U.S. Department of the Interior
Bureau of Land Management
Carson City District
Sierra Front Field Office
5665 Morgan Mill Road
Carson City, NV 89701
775-885-6000

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It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

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Introduction

The Bureau of Land Management (BLM) Sierra Front Field Office issued a scoping notice on June 7, 2016, to solicit comments for the initial stages of an environmental assessment (EA) to address the management of wild horses inside and outside of the Pine Nut Mountains Herd Management Area (HMA). The 30-day scoping period, from June 7- July 7, 2016, encouraged the public to provide input that would assist the BLM in developing a proposed action and alternatives for the management of wild horses in this area. The scoping notice included a link to the Final Summary of Current Conditions within the HMA to help in identifying issues and concerns relating to the management of wild horses in this area.

The Project area for the Proposed Action is the Pine Nut Mountains, an area encompassing approximately 397,899 acres. The Pine Nut Mountains Herd Area (HA) and Pine Nut Mountains Herd Management Area (HMA) are located within the Pine Nut Mountains. The HA consists of approximately 183,186 acres of public lands and 68,504 acres of private lands. The HMA (located entirely within the HA) consists of approximately 90,900 acres of public lands and 14,692 acres of private lands.

Over grazing by wild horses has led to heavy and severe utilization of forage on 29,075 acres within the HMA (28 percent of the HMA). This excessive use is attributed to wild horses since livestock grazing has not occurred in large portions of these areas.

Wild horses currently occupy both BLM managed public lands and private lands that are outside the HMA, these areas are not managed as wild horse habitat. The most recent wild horse population inventory occurred in April 2016. The number of wild horses observed was 536 animals for an estimated population of 579. During the 2016 aerial inventory, 211 wild horses (39 percent: estimated 222) were observed outside the HMA. The wild horse population for the HMA currently exceeds the established Appropriate Management Level (AML) of 119-179 animals.

In passing the Wild Free-Roaming Wild Horses and Burros Act of 1971 (WFRHBA) (Public Law 92-195), Congress found that “Wild-free roaming wild horses and burros are living symbols of the historic and pioneer spirit of the West.” The WFRHBA further states that wild free-roaming wild horses are to be considered in the area where presently found, and as an integral part of the natural ecosystem. The Secretary of the Interior was directed to “manage wild free-roaming wild horses and burros in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands.”

There is a shifting program emphasis from removal of excess wild horses to a greater focus on reducing population growth rates by increasing the use of contraceptives, adjusting sex ratios to favor males, replacing some mares with neutered males and studying tubal ligation and spaying. The goal is to reduce the number of excess wild horses that need to be removed from the range, and collect genetic baseline data to support genetic health assessments.

The AML is defined as “the number of wild horses that can be sustained within a designated HMA which achieves and maintains a thriving natural ecological balance¹ in keeping with the multiple-use management concept for the area.” The allocation of forage for wildlife, wild horses, and livestock was established through a Multiple Use Decision (MUD), which set the total Animal Unit Month² (AUMs) for each category based on monitoring data. The Final MUD for the HMA and nine overlapping grazing allotments was approved in 1995. The upper AML for each allotment is the maximum number of horses that the individual allotment can accommodate while maintaining a thriving natural ecological balance. All AMLs were reaffirmed in the Carson City Field Office Consolidated Resource Management Plan (CRMP) (BLM 2001). Because areas outside of the HMA are not managed for wild horse habitat, no AML can be set for wild horses in areas outside the designated HMA boundary.

This Project was reviewed by the BLM’s interdisciplinary team on July 20, 2015, August 3, 2015, and August 31, 2015. Based on these meetings, the BLM determined which resources would require analysis as a part of a draft EA.

On September 8, 2015 the BLM released the *Pine Nut Mountains HMA Draft Evaluation* for 45-days, detailing the BLM’s monitoring of the conditions within the HMA. The document was a synthesis of monitoring and trend data collected by the BLM. On September 8, 2015 the BLM issued a press release providing public notification of the availability of the draft Evaluation and maps. Notification was also made to 94 individuals or organizations on the Carson City District wild horse mailing list, and 27 individuals or organizations on the BLM Nevada State Office wild horse mailing list. On September 10, 2015 the announcement was published in *The Horse* (website), and September 11, 2015 in *The Record-Courier* (newspaper). On September 16, 2015 an article appeared in the *Nevada Appeal* (newspaper) (with a statement that the input period had been extended until October 22, 2015). On September 19, 2015 the press release was published on the *Protect Mustangs* website. On September 21, 2015 the BLM issued a second press release announcing the extension of the input period from September 22, 2015 until October 20, 2015. Articles on the public input extension appeared on September 22, 2015 in *The Horse* (website) and *Carson Now* (website), and in the *Reno-Gazette Journal* (newspaper) on September 26, 2015. Although there was an error in the second press release, the BLM on its website stated that data would be accepted until October 22, 2015.

In both news releases, the BLM specifically requested information from the public concerning:

- Vegetation condition;
- Utilization levels;

¹ The Interior Board of Land Appeals (IBLA) explained the statutory directive to manage wild horse populations in a thriving natural balance as follows: “As the court stated in *Dahl v. Clark*, supra at 594, the ‘benchmark test’ for determining the suitable number of wild horses on the public range is ‘thriving ecological balance.’ In the words of the conference committee which adopted this standard: ‘The goal of wild horse and burro management...should be to maintain a thriving ecological balance between wild horse and burro populations, wildlife, livestock and vegetation, and to protect the range from the deterioration associated with overpopulation of wild horses and burros.’” (*Animal Protection Institute of America v. Nevada BLM*, 109 IBLA 115 [1989]).

² An AUM is the amount of forage necessary to maintain one adult horse for one month (about 800 pounds of air dried forage) (BLM 2010).

- Riparian condition; and
- Wild horse condition.

The data input period ended on October 22, 2015. The BLM received 32 comment letters or emails on the draft HMA Evaluation. Based on comments received, the BLM has revised and finalized the report as the *Summary of Current Conditions* which is included on the project website under “Scoping.”

On June 6, 2016 the BLM issued a press release announcing a 30-day public scoping period. Notification by email or letter was also made to 94 individuals or organizations on the Carson City District wild horse mailing list, and 27 individuals or organizations on the BLM Nevada State Office wild horse mailing list. On June 6, 2016 the announcement was published in the *Elko Daily News* (newspaper), *KTVN-Reno Channel 2* (internet), *News Locker* (website), *NEWSbout* (website), *Topix* (website) and the *Record-Courier* (newspaper). The announcement was published in *The Horse* (website) on June 7, 2016 and *Virginia City News* (newspaper) on June 10, 2016. Posts of the news release were also published on the *American Wild Horse Preservation Campaign*, *Return to Freedom*, *Wild Horse Advocates* and *Protect Mustangs* Facebook pages. The public scoping period ended on July 7, 2016. The BLM received 91 unique scoping emails containing comments from individuals and, 4,469 electronically generated emails through American Wild Horse Preservation Campaign containing the same comments and two faxes.

This Scoping Report addresses the substantive comments received during the scoping period and allows an opportunity to view a summary of the public’s comments and the BLM’s responses. Although numerous individuals provided scoping input, the majority of the comments are nearly identical or at least similar.

Purpose and Need

The Federal Land Policy and Management Act (FLPMA) directs the BLM to manage the public lands and their various resource values for multiple use and sustained yield to ensure they are utilized in a manner that will best meet the present and future needs of the American people.

The purpose of this Plan is to develop a range of reasonable alternatives for the management of wild horses found in the Pine Nut Mountains area, while maintaining a multiple use relationship and thriving ecological balance between the many resources.

- Achieve and maintain the established wild horse AML’s as set by the approved Final MUD for the HMA;
- Reduce the wild horse population growth rates in order to maintain AML;
- Achieve full compliance with the CRMP;
- Prevent degradation of public lands within and outside the HMA;
- Maintain or restore a thriving natural ecological balance; and
- Re-establish a multiple-use doctrine consistent with the provisions of Section 1333 (a) of the WFRHBA.

The need for this planning effort is to correct overuse and resulting degradation of the rangelands, riparian areas and water sources caused by an excess of wild horses and to decrease the rate of wild horse population increase.

Project Area

The Project area is the Pine Nut Mountains, located in Douglas, Lyon and Carson City counties, Nevada (Figure 1). The communities of Carson City, Minden, Gardnerville, Wellington, Smith and Dayton are spread around the edge of the Pine Nut Mountain range. The range, which runs north-south for 38 miles, includes approximately 397,899 acres of mixed ownership (public land, private land, Indian trust land³). The Pine Nut Mountains HA (Figure 2) and Pine Nut Mountains HMA (Figure 3) are located within the Pine Nut Mountains. The HA consists of approximately 183,186 acres of public lands and 68,504 acres of private lands. The designated boundary of the HMA (located entirely within the HA) encompasses approximately 90,900 acres of public lands and 14,692 acres of private lands. The southern portion of the range includes the 13,395 acre Burbank Canyon Wilderness Study Area. The topography of the range varies from rolling hills, approximately 5,000 feet in elevation, to over 9,000 feet in elevation at the tops of the tallest peaks. Vegetation is typical of the western Great Basin and is dominated by a mix of grasses (*Achnatherum* spp. and *Poa* spp.), sagebrush (*Artemisia* sp.), rabbitbrush (*Chrysothamnus viscidiflorus*), bitterbrush (*Purshia tridentata*), and pinyon-juniper woodlands (*Pinus monophylla*-*Juniperus osteosperma*). Temperatures can exceed 100 degrees Fahrenheit (°F) at lower elevations during July and August and can drop below 0 °F during December and January. Average annual precipitation is strongly influenced by elevation and varies from six to 16 inches.

Scoping Process

This Project was reviewed by the BLM's interdisciplinary team on July 20, 2015, August 3, 2015, and August 31, 2015. Based on these meetings, the BLM determined which resources would require analysis as a part of the draft EA (see Tables 1 and 2).

On September 8, 2015 the BLM released the *Pine Nut Mountains HMA Draft Evaluation* for 45-days, detailing the BLM's monitoring of the conditions in the HMA (BLM 2015a). The document was a synthesis of monitoring and trend data collected by the BLM. On September 8, 2015 the BLM issued a press release providing public notification of the availability of the draft Evaluation and maps. Notification was also made to 94 individuals or organizations on the Carson City District wild horse mailing list, and 27 individuals or organizations on the BLM Nevada State Office wild horse mailing list. On September 10, 2015 the announcement was published in *The Horse* (website), and September 11, 2015 in *The Record-Courier* (newspaper). On September 16, 2015 an article appeared in the *Nevada Appeal* (newspaper) (with a statement that the input period had been extended until October 22, 2015). On September 19, 2015 the press release was published on the *Protect Mustangs* website. On September 21, 2015 the BLM issued a second press release announcing the extension of the input period from

³ Trust land refers to land held in trust by the United States for an Indian tribe or an individual tribal member. This means that the United States holds legal title to that land, while the tribe or individual tribal member holds beneficial title, which means that the tribe or tribal member has the right to use the property and derive benefits from it.

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- Vegetation condition;
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Issue Summary

Preliminary Issues identified during scoping:

1. Increase the AML, instead of removals.
2. Eliminate wild horses from the Pine Nuts as they are not native.
3. Use PZP to control the population.
4. Don't use PZP, neutering or spaying.
5. Minimize the use of helicopters.
6. Identify factors other than horses that are adversely impacting the habitat.
7. Let the animals self-regulate
8. Minimize the number of animals removed.
9. Only remove adoptable animals.
10. Fence the HMA to prevent animals from leaving
11. Move animals to areas of the HMA that are below AML
12. Remove cattle.

The intent of scoping is to solicit relevant comments that can aid in the development of alternatives in the EA. Therefore, the responses are generally limited to comments that directly pertain to the management of wild horses within the project area. Books and papers referenced solely by title, without the specific citation of page(s) generally cannot be considered, as are personal beliefs without supporting data. The following is a summary of the scoping comments.

Electronically generated scoping comments originating from American Wild Horse Preservation Campaign (AWHPC)

Comment	BLM Response
Re-evaluate AMLs to accommodate the present wild horse population without removals making forage adjustments, if necessary.	Unfortunately, the range cannot support the current wild horse population, and severe resource damage is occurring to the range, riparian areas and water sources. Livestock are not present on the majority of the HMA so forage adjustments would do little to correct the conditions.
Forgo removals and manage the population on the range utilizing PZP fertility control at levels sufficient to control population growth.	We fully embrace the use of PZP, and realize its potential in slowing population growth, however, the current population, an estimated 579 wild horses far exceeds the carrying capacity of the range, severe resource damage is occurring to the range, riparian areas and water sources. It would take several decades using PZP alone before the horse population is in balance with the available resources and the habitat conditions would further decline. Once the wild horse population is at the appropriate management level (AML) PZP could be a valuable tool in slowing the rate of increase and reducing the number of excess animals in the future. The challenge with PZP is that the mares need to be vaccinated approximately every 12 months with the current formulation to maintain contraception, and not all mares can be reached.
Utilize the least intrusive methods for application of PZP i.e. remote darting and or bait and water trapping. If helicopters are used, strict protocols to minimize stress and trauma to horses must be followed. These protocols must include a requirement for maintaining the integrity of social bands during the capture and release process	Darting and or bait and water trapping would be analyzed as an alternative, and may be practical in certain areas of the Pine Nuts, however, there are many areas of the Pine Nuts that are not easily accessible so the use of helicopters may be necessary. If helicopters are used strict protocols would be followed to insure the health and safety of the animals.
Additionally, the EA must include a complete identification and analysis of the various	It is clear that OHV (off highway vehicles) and other uses are not impacting riparian areas and

causes of land degradation -- AND their corresponding degree of impact -- including but not limited to motorized uses (OHV, etc.), extractive uses (mining, etc.), various recreational uses, and other uses for each area, inside and outside of HMAs, analyzed in the EA.	the majority of the uplands. For the most part OHV use is limited to existing roads, from our monitoring excessive use of vegetation and riparian areas is attributed to excessive use from wild horses.
The EA must include a complete disclosure and analysis of the degree of disturbance that each of the following negative impacts has on the bi-state sage grouse: extractive uses, motorized vehicle uses, recreational activities, power lines, fencing and other man-made structures have on the bi-state sage grouse behaviors and habitat. All of the above mentioned uses must be mapped and analyze for the degree and range (circumference) of impact each has on bi-state sage grouse behaviors and habitat within the HMA.	The EA will address management of wild horses and include wild horse impacts to sage grouse and their habitat. Other impacts to sage grouse are outside of the scope of this EA.
The EA and final plan must include a complete analysis of All actual use of forage allocations (AUMs) within the HMA for each of the last three years.	The EA would include an analysis of actual use.
An economic analysis of all proposed alternatives, including disclosure of all costs associated with the roundup (capture operation, short- and long-term holding, and adoption preparation) vs. costs associated with implementing a fertility control program.	The consideration of economic costs of managing wild horses on public lands is at the Washington Office level. The current number of wild horses in the Pine Nuts is estimated to be 579 which far exceeds the carrying capacity of the range, severe resource damage is occurring to the range, riparian areas and water sources. There are many costs associated with rangeland degradation that are difficult to estimate. In relatively fragile ecosystems as is most of the Pine Nut Mountains HMA, it can take many decades of no or little grazing for the range to recover from years of over grazing.
Detailed breakdown of range data, including data distinguishing wild horse impacts from other uses' impacts.	The Pine Nut Herd Management Area Final Summary of Current Conditions describes the data and the conditions of the range.
Disclosure of the scientific data and methods that the BLM uses to support the establishment and continued implementation of the AML, both in the HMA and HA, given that the AML is the basis for the EA's Proposed Action to remove horses, inside and outside of the HMA.	The EA would describe the process that was used to set the AML and the monitoring data that has been collected.

Documentation of herd population count/census numbers and a complete demographic breakdown of the Pine Nut wild horse populations (number of bands, stallion/mare ratio, and number of foals, yearlings and three year olds).	The EA would include inventory and demographic information.
Detailed information on the population numbers for all wildlife species that are hunted within the HMA.	The responsibility of managing game animals is that of the Nevada Department of Wildlife and outside of the jurisdiction of the BLM.

Comments from 91 unique emails and two faxes

Comment	BLM Response
The majority of comments supported the use of PZP to suppress the rate of population increase.	We fully embrace the use of PZP, and realize its potential in slowing population growth, however, the current population, an estimated 579 wild horses far exceeds the carrying capacity of the range, severe resource damage is occurring to the range, riparian areas and water sources. It would take several decades using PZP alone before the horse population is in balance with the available resources and the habitat conditions would further decline. Once the wild horse population is at the appropriate management level (AML) PZP could be a valuable tool in slowing the rate of increase and reducing the number of excess animals in the future. The challenge with PZP is that the mares need to be vaccinated approximately every 12 months with the current formulation to maintain contraception, and not all mares can be reached.
Work with the public to vaccinate the mares with PZP.	The BLM has worked with volunteers to vaccinate the mares and would like to continue to do so, and expanding the vaccination program where possible.
Oppose removals in favor of birth control.	The ideal situation would be balancing the population within the AML range utilizing contraceptives or other methods of birth control. This may be achieved in the future, however, for the short term the population is so far above what the resources can support that a combination of removals and birth control will be needed to achieve a thriving natural

	ecological balance.
Increase the size of the HMA to the entire HA.	This is a Resource Management Plan level decision and outside the scope of this EA.
Increase the AML to avoid possible inbreeding.	The limiting factor within the HMA is forage and water availability. By allowing the horse population to increase above the existing AML resource degradation and damage will continue further lowering the carrying capacity (the number of horses the area can support) of the HMA. To avoid deleterious effects of inbreeding the BLM would continue to sample for genetic diversity, and release unrelated wild horses from other HMAs as needed.
Let the animals self-regulate.	Unfortunately, wild horses are not native and predation has not been effective at limiting the populations. The populations of horses would increase until forage and water were insufficient to maintain them. At this point the range would be degraded to a point where most native animals dependent on rangelands or water sources would have been lost. The horses would then self-regulate through starvation or succumb to dehydration, both very unpleasant and disturbing scenarios to contemplate.
Reduce the horses to the high AML as opposed to the low AML.	This action would help slow the rate of rangeland deterioration, however, after the next foaling season the population would be once again over AML. Additionally, substantial areas of the HMA have sustained heavy and sever over use from wild horses and lowering the population to the low AML would aid in restoring the rangelands.
Restrict removals to the youngest adoptable animals.	Unfortunately the population of excess wild horses far exceeds the capacity of the HMA to provide sustainable forage and water so that some of the older animals will need to be removed in order for the range to recover. It would be ideal to only remove the younger more adoptable animals as the older ones will need to be maintained on grass land pastures, which is expensive.
Relocate horses that are outside of the HMA back into the HMA.	Unfortunately the population of wild horses within the HMA far exceeds the capacity of the HMA to support the current population, adding to the population would only exacerbate the current damage to the resources.

Remove fencing within the HMA.	Very little fencing exists within the HMA, the wild horses essentially have unrestricted access to all public lands within the HMA.
Develop additional water sources.	The current population far exceeds the AML, it is hoped that by managing the wild horses within the AML range that water availability will no longer be a concern.
Analyze the impacts of a helicopter gather, sorting and transport to holding facilities.	The gathering and transporting of wild horses would be described within the EA.
Opposes the use of PZP as a contraceptive.	PZP has a long history of safety and efficacy. PZP can be an important tool in decreasing the number of excess wild horses. The EA would examine at least one alternative that includes the use of PZP and one that does not.
Opposes sterilization, i.e. neutering and spaying.	Neutering and spaying techniques are currently being evaluated bureau wide as methods to decrease the number of excess wild horses. The EA will likely have an alternative that includes these techniques and alternatives that do not.
BLM's inventory methods are guesses.	The inventory methods used in the Pine Nuts followed the recommendations made by the National Academy of Sciences and the protocol developed by the U.S. Geological Survey.
Provide wells or guzzlers for wild horses.	<p>Guzzlers are not feasible for wild horses in Nevada as the rainfall is so low that very expansive and expensive aprons with a large negative visual impact would be required.</p> <p>Wells would more appropriately be analyzed in a Herd Management Area Plan (HMAP). The limiting factor for most of the HMA is forage availability, though it is hoped that by managing the horses within the AML range that water availability will no longer be an issue.</p>
Reevaluate AML's to increase the population.	Due the prolonged excessive over use within areas of the HMA and the current level of over use there is not sufficient forage for an increase in AML. It is hoped that by adjusting the population to the low AML by allotment that the grasses will start to recover. If grasses do not respond positively to this lower level of grazing, adjusting the AML downward would be necessary in order to provide forage to wild

	horses over the long term.
Reconsider existing grazing permits.	The decision as to whether to close grazing allotments to grazing is an RMP level decision and outside the scope of an EA.
Increase the AML to save money as fewer horses would need to be removed.	The limiting factor is forage and water availability, so increasing the AML would not be practical. If the AML were increased fewer horses would need to be removed in the short term but in the longer term more horses would need to be removed as there would be more mares producing foals.
Utilize bait and water trapping techniques in lieu of helicopter gather techniques.	The EA would analyze these alternatives, however, the number of horses, distribution and accessibility would preclude bait and water trapping many of the horses.
Consider compensating Livestock Permittees financially to convert livestock AUMs to wild horse AUMs.	Currently the excessive grazing occurs on allotments that are not grazed by livestock. Closing allotments to livestock grazing is an RMP level decision and outside the scope of this EA.
Work with the Department of Wildlife to minimize the loss of predators.	In some areas mountain lions kill a few wild horses, usually young animals, however, despite an extensive study utilizing radio and GPS collared mountain lions no predation of mountain lions on wild horses has been documented within the Pine Nut Mountains. Coyotes can also kill very young foals. The Nevada Department of Wildlife issues mountain lion tags to hunters but very few are taken from the Pine Nut Mountains.
Fence areas along the HMA boundary where appropriate to reduce the number of animals leaving the HMA.	For the most part the private lands along the northern boundary of the HMA are fenced. One of the large land owners is actively fencing their private land which should reduce the number of animals crossing the Carson River and entering residential areas and crossing a nearby highway.
Relocation of horse band-units to Sand Canyon Allotment and Sunrise Allotment, providing any and all water-sources.	Horses moved 10 to 15 miles generally return to the area of capture. There is a reliable water source within the Sand Canyon allotment and abundant grasses, it is hoped that the wild horses will increase within this area on their own. The HMA portion of the Sunrise allotment is relatively densely covered with pinyon pine trees, greatly reducing the amount of forage grasses. BLM is actively treating

	some of the timbered areas to improve sage grouse habitat, this treatment would also benefit wild horses as grasses will increase, however, it may take many years before there is sufficient grass forage to maintain horses in these areas.
Eliminate wild horses from the Pine Nut Mountains and the western ranges as they are not native.	Eliminating wild horses from the Pine Nuts would be an RMP level decision and outside the scope of the EA.
Geld the males.	Gelding would be in one of the alternatives.
Remove all cattle from public lands.	Closing the grazing allotments to grazing within the Pine Nut HMA would be an RMP level decision and outside the scope of this document.

Issues that Will Not be Addressed in the EA

Certain types of comments do not warrant analysis in the EA because they do not provide information that is helpful or relevant to make a reasoned choice among alternatives. Comments that are not helpful or relevant include personal opinion with no supporting reason(s), statements of disagreement with BLM or proclamation policies, and/or simple statements of agreement or opposition to the project.

Issues beyond the scope of the EA include all items not related to decisions that would occur as a result of this planning process. In short, they include decisions that are not under the jurisdiction of the BLM or the scope of the EA. Examples of issues outside the scope of this EA would include increasing the size of the HMA, eliminating livestock grazing from the Pine Nuts, eliminating wild horses from the Pine Nuts and management of wildlife as the Nevada Department of Wildlife has jurisdiction over the management of wildlife.

Summary of Future Steps in the Management of Wild Horses Inside and Outside of the Pine Nut Mountains HMA EA Process

With formal scoping completed, the Interdisciplinary Planning Team has begun work with cooperating agencies to build a set of management frameworks, referred to as alternatives. The analysis of these alternatives forms the basis of the Draft Plan EA. A preferred alternative is selected through this process. The alternatives are presented in the Draft Plan EA, when completed a notification will be emailed to those persons on our email list, and a press release will be sent to local media and posted on the district web site advising the public that the Draft EA is available for a 30 day review and comment period.

September 2016 Release the Draft EA for 30 day review and comment period.

Following the public comment period, the Interdisciplinary Planning Team will address the comments and develop the final EA.

October 2016 Issue the Final EA.

Maps and Figures

Figure 1. Project Area, HMA and HA.

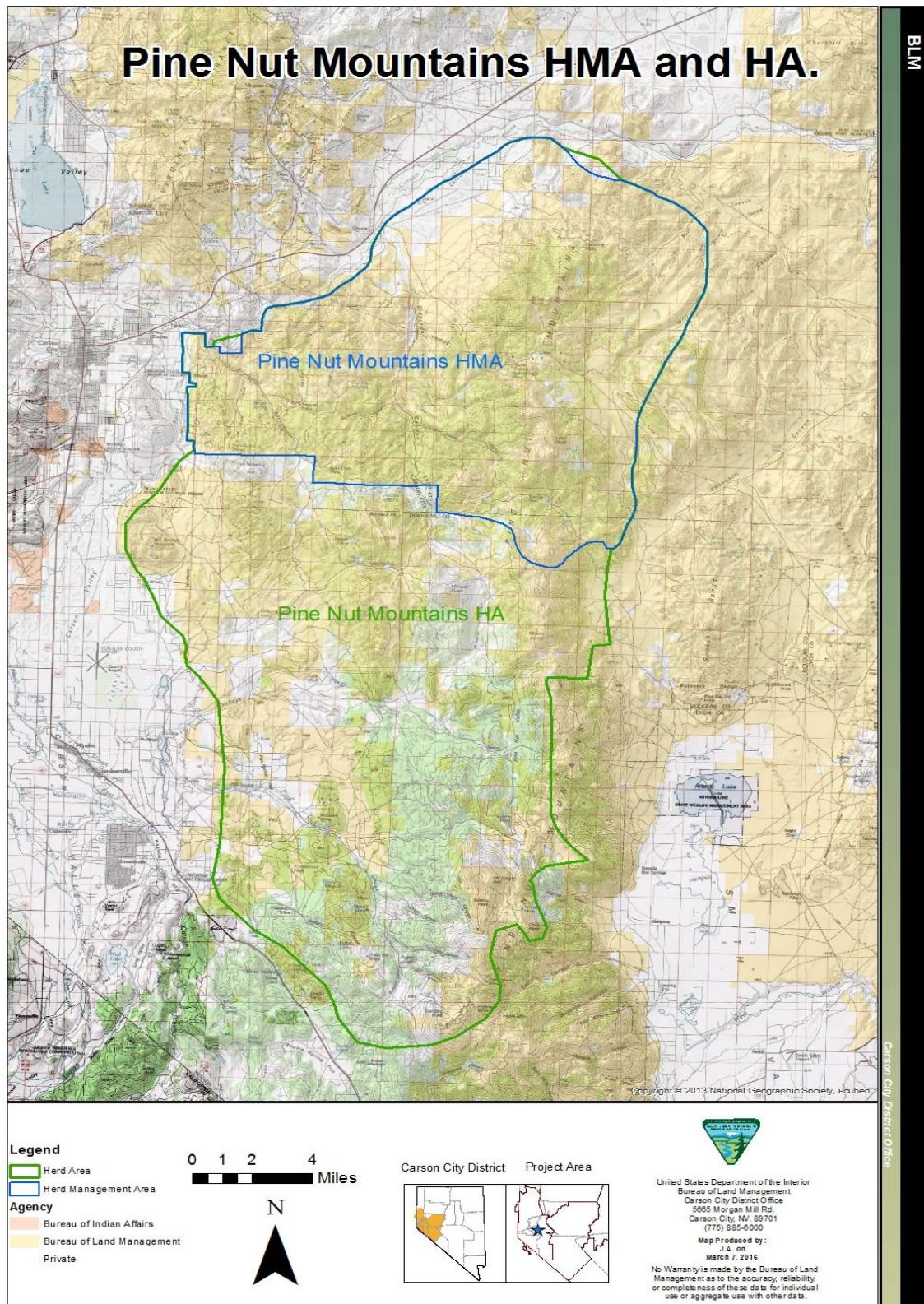


Figure 2. Pine Nut Mountains HMA and Grazing Allotments

